

RESOLUTION NO. 598

This Resolution was adopted October 7, 1929

Authorizing and Direction to City Attorney to dismiss  
suit against Stephen E. Kieffer in S.J. County in the  
Arroyo Seco Project

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**Minutes Excerpt**

On motion of Councilman Weihe, Roach second, Mr J.G.Hurrie was appointed water inspector at a salary of \$150.00 per month for one month.

City Attorney Glenn West stated that Mr Stephen E. Kieffer was no more interested in the Arroyo Seco project and that his name should be dropped as defendant from suits of the City versus certain appropriative applicants on the Mokelumne River. He was authorized and directed to dismiss suits against Mr Kieffer by adoption of the following:-

**RESOLUTION NO. 598**

WHEREAS, the City of Lodi has brought and there is now pending in action in the Superior Court of the State of California in and for the County of San Joaquin, against East Bay Municipal Utility District, a corporation, and others, which action is numbered 22,415; and,

WHEREAS, Mr Stephen E. Kieffer is a party defendant in said action; and,

WHEREAS, it appears that applications of said Stephen E. Kieffer filed with California Division of Water rights to divert waters from the Mokelumne River have been dismissed and it does not appear that there is any further necessity of continuing said action as against said Kieffer;

NOW THEREFORE, BE IT HEREBY RESOLVED, that Glenn West as City Attorney, and Robert M. Searls, as special counsel associated with said City Attorney in the prosecution of said action be, and they are hereby authorized to cause said action to be dismissed and to dismiss the same, as far as said defendant, Stephen E. Kieffer is concerned and not otherwise.

and by the adoption of the following:-

**RESOLUTION NO. 599**

WHEREAS, the City of Lodi has brought and there is now pending an action in the Superior Court of the State of California, in and for the County of Calaveras against East Bay Municipal Utility District, a corporation and others;

AND WHEREAS, one Stephen E. Kieffer is a party defendant in said action and whereas it appears that applications of said Stephen E. Kieffer filed with California Division of Water Rights, to divert waters from the Mokelumne River have been dismissed, and it does not appear that there is any further necessity of continuing said action as against said Kieffer;

NOW THEREFORE, BE IT RESOLVED, that Glenn West as City Attorney and Robert M. Searls as special counsel associated with said City Attorney in the prosecution of said action, be and they are hereby authorized to cause said action to be dismissed and to dismiss the same as far as said defendant Stephen E. Kieffer is concerned and not otherwise.

The foregoing Resolutions numbered 598 and 599 were thereupon adopted by the following vote:-

AYES: Councilmen, Shattuck, Weihe, Hale, Roach & Spooner.

NOES: Councilmen, None. ABSENT: None.

It having been brought to the attention of the City Council that the activities of certain persons operating a gold dredger near the old town-site of Lancha Plana were causing great amounts of silt and other detritus to be discharged into the Mokelumne River whereby its waters were polluted and made unfit for use as well as unsightly and that the local Chamber of Commerce had made protest against these evil practices without notable effect, the following resolution was introduced and adopted by unanimous vote of the City Council:-

**RESOLUTION NO. 600**

BE IT RESOLVED, that, Whereas a certain company or parties are operating a dredger on or near the Mokelumne River at the old town of Lancha Plana and are dumping the refuse and debris from the same into the Mokelumne River, and, whereas, by reason of the premises the waters of the Mokelumne River are badly polluted from silt, mud and debris from said dredger;